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22 March-30 April 1999

ANNOTATIONS TO THE PROVISIONAL AGENDA

Prepared by the Secretary-General

CONTENTS*

Item		Paragraphs	Page
1.	Election of officers	1	5
2.	Adoption of the agenda	2 - 4	5
3.	Organization of the work of the session	5 - 12	5
4.	Report of the United Nations High Commissioner for Human Rights and follow-up to the World Conference on Human Rights	13 - 16	7
5.	The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation	17 - 19	7

* This table of contents is based upon the draft provisional agenda for the fifty-fifth session as considered by the Commission at its fifty-fourth session (E/1998/23-E/CN.4/1998/177, chap. XXV), with the addition of the indicative sub-headings found in the text of the annotations for ease of reference.

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CONTENTS (continued)

Item		Paragraphs	Page
6.	Racism, racial discrimination, xenophobia and all forms of discrimination	20 - 25	8
7.	The right to development	26 - 32	9
8.	Question of the violation of human rights in the occupied Arab territories, including Palestine	33 - 36	11
9.	Question of the violation of human rights and fundamental freedoms in any part of the world, including:	37 - 71	12
	(a) Question of human rights in Cyprus	62	17
	(b) Procedure established in accordance with Economic and Social Council resolution 1503 (XLVIII)	63 - 71	17
10.	Economic, social and cultural rights	72 - 83	19
11.	Civil and political rights, including the questions of:	84 - 113	22
	(a) Torture and detention	88 - 97	22
	(b) Disappearances and summary executions	98 - 99	24
	(c) Freedom of expression	100	25
	(d) Independence of the judiciary, administration of justice, impunity	101 - 106	25
	(e) Religious intolerance	107 - 110	26
	(f) States of emergency	111	27
	(g) Conscientious objection to military service	112	27
12.	Integration of the human rights of women and the gender perspective	114 - 118	27
	(a) Violence against women	117 - 118	28
13.	Rights of the child	119 - 132	28

CONTENTS (continued)

Item		Paragraphs	Page
14.	Specific groups and individuals:	133 - 146	31
	(a) Migrant workers	133 - 136	31
	(b) Minorities	137 - 140	32
	(c) Mass exoduses and displaced persons	141 - 142	33
	(d) Other vulnerable groups and individuals	143 - 146	33
15.	Indigenous issues	147 - 151	34
16.	Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities:	152 - 161	35
	(a) Report and draft decisions	152 - 157	35
	(b) Election of members	158 - 161	36
17.	Promotion and protection of human rights:	162 - 181	37
	(a) Status of the International Covenants on Human Rights	165 - 167	37
	(b) Human rights defenders	168 - 171	38
	(c) Information and education	172 - 174	38
	(d) Science and environment	175 - 179	39
18.	Effective functioning of human rights mechanisms:	182 - 189	40
	(a) Treaty bodies		
	(b) National institutions and regional arrangements		
	(c) Adaptation and strengthening of the United Nations machinery for human rights		
19.	Advisory services and technical cooperation in the field of human rights	190 - 197	42
20.	Rationalization of the work of the Commission	198	43

CONTENTS (continued)

Item			Paragraphs	Page
21.	(a)	Draft provisional agenda for the fifty-sixth session of the Commission	199	44
	(b)	Report to the Economic and Social Council on the fifty-fifth session of the Commission . . .	200	44
Annex:		List of thematic and country specific procedures and other mechanisms of the Commission on Human Rights (prepared in accordance with Commission resolution 1998/74)		45

Item 1. Election of officers

1. Rule 15 of the rules of procedure of the functional commissions of the Economic and Social Council provides that "at the commencement of its first meeting of a regular session the Commission shall elect, from among the representatives of its members, a Chairman, one or more Vice-Chairmen and such other officers as may be required".

Item 2. Adoption of the agenda

2. Rule 7 of the rules of procedure provides that "the Commission shall at the beginning of each session, after the election of its officers, ... adopt the agenda for that session on the basis of the provisional agenda".

3. In its resolution 1998/84, the Commission decided to adopt the proposal for the restructuring of its agenda submitted by the Chairman of the Commission at its fifty-fourth session, as contained in the annex to that resolution.

4. The Commission will have before it the provisional agenda (E/CN.4/1999/1) prepared by the Secretary-General on the basis of the restructured agenda contained in the annex to resolution 1998/84 and in accordance with rule 5 of the rules of procedure, as well as the present annotations relating to the items included in the provisional agenda.

Item 3. Organization of the work of the session

5. At its fifty-fourth session, the Commission decided, in its decision 1998/110, that the fifty-fifth session of the Commission should be scheduled to take place from 15 March to 23 April 1999. The Economic and Social Council approved the recommendation in its decision 1998/280. Subsequently, in its decision 1998/295, the Council approved the change in the dates for the fifty-fifth session of the Commission, to meet from 22 March to 30 April 1999.

6. The attention of the Commission is drawn to the decisions it adopted at its fifty-fourth session concerning the organization of its work (see E/1998/23-E/CN.4/1998/177, paras. 9-17), in particular those relating to the limitation of the frequency and duration of statements (paras. 10-11), the opening and closure of the list of speakers (para. 12), the submission of draft resolutions (para. 13) and the requirement of a quorum (para. 14). Furthermore, the attention of the Commission is drawn to the relevant resolutions concerning control and limitation of documentation (inter alia, General Assembly resolution 33/56 and Economic and Social Council resolutions 1981/83 and 1982/50).

7. The attention of the Commission is also drawn to Economic and Social Council decision 1998/281, by which the Council, taking note of Commission on Human Rights decision 1998/111, decided to authorize, if possible within existing financial resources, 30 fully serviced additional meetings, including summary records, in accordance with rules 29 and 31 of the rules of procedure of the functional commissions of the Economic and Social Council, for the Commission's fifty-fifth session. The Council approved the Commission's

request to the Chairman of the Commission at its fifty-fifth session to make every effort to organize the work of the session within the times normally allotted, so that the authorized meetings would be utilized only if they proved to be absolutely necessary.

8. In connection with the present item, the Commission will also have before it a note by the secretariat containing statistics relating to the fifty-fourth session of the Commission on Human Rights (E/CN.4/1999/109).

9. The attention of the Commission is also drawn to Economic and Social Council resolution 1990/48 of 25 May 1990 in which the Council authorized the Commission to meet exceptionally between its regular sessions, provided that a majority of States members of the Commission so agreed. In this connection, the Economic and Social Council adopted, on 28 July 1993, decision 1993/286 on the procedure for special sessions of the Commission on Human Rights.

Working groups

10. The session is preceded by meetings of the eight inter-sessional and pre-sessional working groups referred to in E/CN.4/1999/1, paragraph 3 (a) to (h).

Composition of the Commission

11. The composition of the Commission for 1999 is the following. The term of membership of each State expires on 31 December of the year indicated in brackets.

Argentina (1999), Austria (1999), Bangladesh (2000), Bhutan (2000), Botswana (2000), Canada (2000), Cape Verde (1999), Chile (2000), China (1999), Colombia (2001), Congo (2000), Cuba (2000), Czech Republic (1999), Democratic Republic of the Congo (1999), Ecuador (1999), El Salvador (2000), France (2001), Germany (1999), Guatemala (2000), India (2000), Indonesia (1999), Ireland (1999), Italy (1999), Japan (1999), Latvia (2001), Liberia (2001), Luxembourg (2000), Madagascar (2001), Mauritius (2001), Mexico (2001), Morocco (2000), Mozambique (1999), Nepal (2000), Niger (2001), Norway (2001), Pakistan (2001), Peru (2000), Philippines (2000), Poland (2000), Qatar (2001), Republic of Korea (2001), Romania (2001), Russian Federation (2000), Rwanda (2000), Senegal (2000), South Africa (1999), Sri Lanka (2000), Sudan (2000), Tunisia (2000), United Kingdom of Great Britain and Northern Ireland (2000), United States of America (2001), Uruguay (1999), Venezuela (2000).

Situation of human rights in Colombia

12. In the statement on the situation of human rights in Colombia, agreed on by consensus by the Commission, made by the Chairman on 9 April 1998, the Commission, inter alia, requested the High Commissioner for Human Rights to present to it at its fifty-fifth session a detailed report containing an analysis by her Office of the situation of human rights in Colombia, in accordance with the provisions of the agreement between the Government of Colombia and the High Commissioner on the operation of the permanent office

in Bogotá (see E/1998/23-E/CN.4/1998/177, para. 26). The Commission will have before it the report of the United Nations High Commissioner for Human Rights (E/CN.4/1999/8).

Item 4. Report of the United Nations High Commissioner for Human Rights and follow-up to the World Conference on Human Rights

13. The General Assembly in its resolution 48/141 of 20 December 1993 decided to create the post of the United Nations High Commissioner for Human Rights and, inter alia, requested the High Commissioner to report annually on her activities, in accordance with her mandate, to the Commission on Human Rights and, through the Economic and Social Council, to the General Assembly. The Commission will have before it the annual report of the High Commissioner (E/CN.4/1999/9).

14. At its fifty-fourth session, the Commission, in its resolution 1998/78 entitled "Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action", decided to continue its consideration of this question at its fifty-fifth session.

15. In connection with the present item and with item 18 of the provisional agenda, the attention of the Commission is drawn to a note by the High Commissioner transmitting the report of the meeting of special rapporteurs/representatives, experts and chairpersons of working groups of the special procedures of the Commission on Human Rights and of the advisory services programme, held in Geneva from 26 to 29 May 1998 (E/CN.4/1999/3 and Corr.1, Add.1 and Corr.1-2, and Add.2) (see also para. 188 below).

16. The attention of the Commission is also drawn to General Assembly resolution 53/166 entitled "Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action".

Item 5. The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation

Situation in occupied Palestine

17. In its resolution 1998/4, the Commission requested the Secretary-General to transmit the resolution to the Government of Israel and to all other Governments, to distribute it on the widest possible scale and to make available to the Commission on Human Rights, prior to the convening of its fifty-fifth session, all information pertaining to the implementation of the resolution by the Government of Israel. It also decided to consider the situation in occupied Palestine under the present item as a matter of high priority. The Commission will have before it the report of the Secretary-General (E/CN.4/1999/10).

Question of the use of mercenaries

18. At its forty-third session, the Commission, in resolution 1987/16, decided to appoint for one year a special rapporteur to examine the question of the use of mercenaries as a means of violating human rights and of impeding the exercise of the right of peoples to self-determination. Subsequently,

Mr. Enrique Bernales Ballesteros (Peru) was appointed as Special Rapporteur of the Commission. In its resolution 1998/6, the Commission decided to extend the mandate of the Special Rapporteur for three years and requested him to report his findings on the use of mercenaries to undermine the right of peoples to self-determination, with specific recommendations, to the Commission at its fifty-fifth session. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1999/11).

19. The attention of the Commission is also drawn to General Assembly resolutions 53/134, entitled "Universal realization of the right of peoples to self-determination", 53/135, entitled "Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination" and 53/136, entitled "The right of Palestinian people to self-determination".

Item 6. Racism, racial discrimination, xenophobia and all forms of discrimination

20. In its resolution 1995/11, the Commission requested the Secretary-General to submit to the Commission a detailed annual report on (a) all activities of Member States, United Nations bodies, the specialized agencies and non-governmental organizations, analysing information received on such activities to combat racism and racial discrimination; (b) measures to be taken to improve the coordination of the activities of the Programme of Action or to supplement, on the basis of the discussions in plenary, the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination.

21. Having noted that, in its resolution 52/11, the General Assembly had decided to convene a world conference against racism, racial discrimination, xenophobia and related intolerance, to be held not later than 2001, and that the Commission on Human Rights would serve as the preparatory committee for the World Conference, the Commission, in its resolution 1998/26, decided to create an open-ended working group to meet during its fifty-fifth session in order to review and formulate proposals for consideration by the Commission and for possible forwarding to the Preparatory Committee at its first session. In this connection, the Commission invited the High Commissioner for Human Rights to submit to the Commission at its fifty-fifth session a preliminary analytical study on the objectives of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance as identified by the General Assembly. The High Commissioner was also invited to submit to the Commission at its fifty-fifth session and to the Preparatory Committee at its first session a compendium of references to publications and other works by experts and United Nations, regional and other bodies on the fight against racism, racial discrimination, xenophobia and related intolerance. The Commission requested the Secretary-General to submit a report to the Commission at its fifty-fifth session on the implementation of that resolution. At the present session, the Commission will have before it the report of the High Commissioner (E/CN.4/1999/12).

22. Pursuant to Commission resolution 1993/20, Mr. Glèlè-Ahanhanzo (Benin) was appointed Special Rapporteur on contemporary forms of racism, racial discrimination and xenophobia and related intolerance. In its resolution 1996/21, the Commission decided to extend for a period of

three years the mandate of the Special Rapporteur to examine incidents of contemporary forms of racism, racial discrimination, any form of discrimination, inter alia against Blacks, Arabs and Muslims, xenophobia, negrophobia, anti-Semitism and related intolerance, as well as governmental measures to overcome them, and to report on these matters on a yearly basis to the Commission. In its resolution 1998/26, the Commission requested the Special Rapporteur to include in his report to the Commission at its fifty-fifth session information on the measures taken to implement his recommendations, and to undertake follow-up visits, if necessary. The Commission will have before it the reports of the Special Rapporteur (E/CN.4/1999/15 and Add.1).

23. The Commission will also have before it the annual reports on racial discrimination submitted by the International Labour Organization (E/CN.4/1999/17) and by the United Nations Educational, Scientific and Cultural Organization (E/CN.4/1999/18).

24. The attention of the Commission is also drawn to draft decision 1, in chapter I.B of the report of the Sub-Commission on its fiftieth session (see E/CN.4/1999/4-E/CN.4/Sub.2/1998/45) and to resolution 1998/6 and decisions 1998/103 and 1998/104 of the Sub-Commission.

25. The attention of the Commission is also drawn to General Assembly resolutions 53/131, entitled "International Convention on the Elimination of All Forms of Racial Discrimination", and 53/132 entitled "Third Decade to Combat Racism and Racial Discrimination and the convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance".

Item 7. The right to development

26. The Declaration on the Right to Development was proclaimed by the General Assembly in its resolution 41/128 of 4 December 1986. The Commission decided to include this question under a separate item on its agenda in its resolution 1989/45.

27. In its resolution 1993/22, the Commission decided to establish a working group on the right to development composed of 15 experts with a mandate to identify obstacles to the implementation and realization of the Declaration on the Right to Development and to recommend ways and means towards the realization of the right to development by all States. The Working Group held five sessions in the period 1993-1995.

28. In its resolution 1996/15, the Commission decided to establish, for a two-year period, an intergovernmental working group composed of 10 experts nominated by Governments and appointed by the Chairman of the Commission, with the mandate to elaborate a strategy for the implementation and promotion of the right to development in its integrated and multidimensional aspects. The working group held two sessions in the period 1996-1997.

29. At its fifty-fourth session, the Commission in its resolution 1998/72, decided to recommend to the Economic and Social Council the establishment of a follow-up mechanism, initially for a period of three years, consisting of:

(a) The establishment of an open-ended working group to meet for a period of five working days each year, after the fifty-fifth and fifty-sixth sessions of the Commission, with a mandate:

(i) To monitor and review progress made in the promotion and implementation of the right to development as elaborated in the Declaration on the Right to Development, at the national and international levels, providing recommendations thereon and further analysing obstacles to its full enjoyment, focusing each year on specific commitments in the Declaration;

(ii) To review reports and any other information submitted by States, United Nations agencies, other relevant international organizations and non-governmental organizations on the relationship between their activities and the right to development;

(iii) To present for the consideration of the Commission on Human Rights a sessional report on its deliberations, including, inter alia, advice to the Office of the High Commissioner for Human Rights with regard to the implementation of the right to development, and suggesting possible programmes of technical assistance at the request of interested countries with the aim of promoting the implementation of the right to development;

(b) The appointment by the Chairman of the Commission on Human Rights of an independent expert with high competence in the field of the right to development, with a mandate to present to the working group at each of its sessions a study on the current state of progress in the implementation of the right to development as a basis for a focused discussion, taking into account, inter alia, the deliberations and suggestions of the working group.

This decision was approved by the Economic and Social Council in its decision 1998/269. Mr. Arjun Sengupta (India) was subsequently appointed as the Independent Expert.

30. The Commission also invited the High Commissioner for Human Rights to present a report to the Commission each year for the duration of the mechanism, to provide interim reports to the working group and to make those reports available to the independent expert, in each case covering:

(a) The activities of her Office relating to the implementation of the right to development as contained in her mandate;

(b) The implementation of resolutions of the Commission on Human Rights and the General Assembly with regard to the right to development;

(c) Inter-agency coordination within the United Nations system for the implementation of relevant resolutions of the Commission in that regard.

31. In its resolution 1998/72, the Commission also requested the Secretary-General to submit to the General Assembly at its fifty-third session and to the Commission on Human Rights at its fifty-fifth session a comprehensive report on the implementation of the various provisions of that resolution.

32. At the present session, the Commission will have before it the report of the High Commissioner for Human Rights (E/CN.4/1999/19). It will also have before it the report of the Secretary-General on the implementation of resolution 1998/72 (E/CN.4/1999/20). The attention of the Commission is also drawn to decision 1998/105 adopted by the Sub-Commission at its fiftieth session and to General Assembly resolution 53/155, entitled "Right to development".

Item 8. Question of the violation of human rights in the occupied Arab territories, including Palestine

33. In its resolution 1993/2 A, the Commission decided to appoint a special rapporteur with the mandate to investigate Israel's violations of the principles and bases of international law, international humanitarian law and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, in the Palestinian territories occupied by Israel since 1967, to receive communications, to hear witnesses and to report to the Commission at its future sessions, until the end of the Israeli occupation of those territories. Following the resignation of Mr. René Felber (Switzerland) at the fifty-first session, Mr. Hannu Halinen (Finland) was appointed Special Rapporteur. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1999/24).

34. At its fifty-fourth session, the Commission adopted resolution 1998/1, in which it requested the Secretary-General to report on the implementation of that resolution and to provide the Commission with all United Nations reports issued between sessions of the Commission that dealt with the conditions in which the citizens of the Palestinian and other occupied Arab territories were living under the Israeli occupation. The Commission will have before it the report of the Secretary-General (E/CN.4/1999/21) and a note by the Secretary-General listing the aforementioned United Nations reports (E/CN.4/1999/23).

35. The Commission also adopted resolution 1998/2 on human rights in the occupied Syrian Golan, in which it requested the Secretary-General to report to the Commission at its fifty-fifth session. In this regard, the Commission will have before it the report of the Secretary-General (E/CN.4/1999/22).

36. The attention of the Commission is also drawn to General Assembly resolutions 53/53 entitled "Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories", 53/56 entitled "Israeli practices affecting the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem" and 53/57 entitled "The occupied Syrian Golan".

Item 9. Question of the violation of human rights and fundamental freedoms in any part of the world, including:

(a) Question of human rights in Cyprus

(b) Procedure established in accordance with Economic and Social Council resolution 1503 (XLVIII)

37. By resolution 1164 (XLI) of 5 August 1966, the Economic and Social Council welcomed the decision of the Commission in its resolution 2 B (XXII) of 25 March 1966 to consider, at its twenty-third session, the question of its tasks and functions and its role in relation to violations of human rights. In resolution 2144 A (XXI) of 26 October 1966, the General Assembly invited the Council and the Commission to give urgent consideration to ways and means of improving the capacity of the United Nations to put a stop to violations of human rights wherever they might occur. Pursuant to these resolutions, the Commission adopted resolution 8 (XXIII) of 16 March 1967, in which it decided to give annual consideration to an item on the question of violations of human rights and fundamental freedoms. The title of the item was later modified by the Commission. Subsequently, the Economic and Social Council adopted resolutions 1235 (XLII) and 1503 (XLVIII) on the question of violations of human rights and fundamental freedoms.

38. In resolution 32/130, the General Assembly decided that, in approaching human rights questions within the United Nations system, the international community should accord, or continue to accord, priority to the search for solutions to the mass and flagrant violations of human rights of peoples and persons affected by various situations referred to in the resolution. The Assembly reiterated those views in subsequent resolutions, including resolution 37/199. In resolution 34/175, entitled "Effective action against mass and flagrant violations of human rights", the Assembly urged the appropriate United Nations bodies, within their mandates, particularly the Commission, to take timely and effective action in existing and future cases of mass and flagrant violations of human rights. By resolution 37/200, the General Assembly urged all States to cooperate with the Commission in its study of violations of human rights and fundamental freedoms in any part of the world and requested the Commission to continue its efforts to improve the capacity of the United Nations system to take urgent action in cases of serious violations of human rights.

Situation of human rights in the Democratic Republic of the Congo

39. Pursuant to Commission resolution 1994/87, Mr. Roberto Garretón (Chile) was appointed Special Rapporteur. In its resolution 1998/61, the Commission decided to extend the mandate of the Special Rapporteur for a further year, and requested him to report to the Commission at its fifty-fifth session.

40. In the same resolution, the Commission also requested the Secretary-General to report, with any comments and recommendations he might wish to make, inter alia, to the General Assembly and to the Commission at its fifty-fifth session, on the work of the Secretary-General's Investigative Team in the Democratic Republic of the Congo.

41. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1999/31) and a note by the Secretary-General transmitting the report of the Secretary-General's Investigative Team (E/CN.4/1999/30).

Human rights situation in southern Lebanon and western Bekaa

42. In its resolution 1998/62, the Commission requested the Secretary-General to bring the resolution to the attention of the Government of Israel, to invite it to provide information concerning the extent of its implementation thereof and to report to the Commission at its fifty-fifth session on the results of his efforts in that regard. The Commission will have before it the report of the Secretary-General (E/CN.4/1999/26).

Situation of human rights in Myanmar

43. Following the resignation of the Special Rapporteur, Mr. Yozo Yokota (Japan) in May 1996, Mr. Rajsoomer Lallah (Mauritius) was appointed Special Rapporteur. In its resolution 1998/63, the Commission decided to extend for a further year the mandate of the Special Rapporteur and requested him to submit an interim report to the General Assembly at its fifty-third session and to report to the Commission on Human Rights at its fifty-fifth session. The Commission will have before it the report of the Special Rapporteur, (E/CN.4/1999/35). The Commission will also have before it a report of the Secretary-General prepared pursuant to General Assembly resolution 53/162 (E/CN.4/1999/29).

Situation of human rights in Nigeria

44. Pursuant to resolution 1997/53, the Chairman of the Commission appointed Mr. Tiyanjana Maluwa (Malawi) as Special Rapporteur on the situation of human rights in Nigeria. Following the resignation of Mr. Maluwa in August 1997, the Chairman of the fifty-third session of the Commission on Human Rights appointed Mr. Soli Jehangir Sorabjee (India) as Special Rapporteur in October 1997.

45. In its resolution 1998/64, the Commission extended the mandate of the Special Rapporteur for a further year and requested the Special Rapporteur to submit an interim report to the General Assembly at its fifty-third session and to report to the Commission at its fifty-fifth session. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1999/36).

Situation of human rights in Iraq

46. In its resolution 1998/65, the Commission decided to extend the mandate of the Special Rapporteur, as contained in Commission resolution 1991/74 and subsequent resolutions, for a further year, and requested the Special Rapporteur to submit an interim report on the situation of human rights in Iraq to the General Assembly at its fifty-third session and to report to the Commission at its fifty-fifth session. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1999/37).

Cooperation with representatives of United Nations human rights bodies

47. In its resolution 1998/66, the Commission invited the Secretary-General to submit a report at its fifty-fifth session containing a compilation and analysis of any available information, from all appropriate sources, on alleged reprisals against those who seek to cooperate or have cooperated with representatives of United Nations human rights bodies, or who have provided testimony or information to them; those who avail or have availed themselves of procedures established under United Nations auspices for the protection of human rights and fundamental freedoms and all those who have provided legal assistance to them for this purpose; those who submit or have submitted communications under procedures established by human rights instruments; and those who are relatives of victims of human rights violations. The Commission will have before it the report of the Secretary-General (E/CN.4/1999/27).

Situation of human rights in the Sudan

48. Pursuant to Commission resolution 1993/60, Mr. Gáspár Bíró (Hungary) was appointed Special Rapporteur on the situation of human rights in the Sudan. In its resolution 1998/67, the Commission decided to extend the mandate of the Special Rapporteur for an additional year and requested the Special Rapporteur to report his findings and recommendations to the General Assembly at its fifty-third session and to the Commission at its fifty-fifth session. Following the resignation of Mr. Bíró, the Chairman of the Commission appointed Mr. Leonardo Franco (Argentina) Special Rapporteur, in August 1998. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1999/38).

Extrajudicial, summary or arbitrary executions

49. Pursuant to Economic and Social Council resolution 1982/35, Mr. Amos Wako (Kenya) was appointed Special Rapporteur. Following the resignation of Mr. Wako in March 1982, Mr. Bacre W. N'diaye (Senegal) was appointed Special Rapporteur. In its resolution 1998/68, the Commission decided to extend the mandate of the Special Rapporteur for three years. In the same resolution, the Commission requested the Special Rapporteur to submit to it, on an annual basis, his findings, together with conclusions and recommendations, as well as such other reports as the Special Rapporteur deemed necessary in order to keep the Commission informed. Following the resignation of Mr. N'diaye, Ms. Asma Jahangir (Pakistan) was appointed Special Rapporteur, in August 1998. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1999/39 and Add.1).

Situation of human rights in Rwanda

50. Pursuant to Commission resolution 1994/S-3/1, Mr. René Degni-Ségui (Côte d'Ivoire) was appointed Special Rapporteur to investigate the human rights situation in Rwanda. Pursuant to Commission resolution 1997/66, Mr. Michel Moussalli (Switzerland) was appointed Special Representative with the mandate to make recommendations on how to improve the human rights situation in Rwanda, to facilitate the creation and effective functioning of

an independent national human rights commission in Rwanda, and further to make recommendations on situations in which technical assistance to the Government of Rwanda in the field of human rights may be appropriate.

51. In its resolution 1998/69, the Commission decided to extend the mandate of the Special Representative for a further year and requested him to report to the General Assembly at its fifty-third session and to the Commission on Human Rights at its fifty-fifth session, in accordance with his mandate. The Commission requested the High Commissioner for Human Rights to submit reports on the work of the Human Rights Field Operation in Rwanda and on the implementation of that resolution to the General Assembly at its fifty-third session and to the Commission on Human Rights at its fifty-fifth session.

52. The Commission will have before it the report of the Special Representative (E/CN.4/1999/33) and the report of the High Commissioner (E/CN.4/1999/34).

Situation of human rights in Afghanistan

53. Following the death of the Special Rapporteur, Mr. Felix Ermacora (Austria), in February 1995, Mr. Choong-Hyun Paik (Republic of Korea) was appointed Special Rapporteur. In its resolution 1998/70, the Commission decided to extend the mandate of the Special Rapporteur for one year and requested him to report on the situation of human rights in Afghanistan to the General Assembly at its fifty-third session and to the Commission on Human Rights at its fifty-fifth session. Following the resignation of Mr. Paik, Mr. Kamal Hossain (Bangladesh) was appointed Special Rapporteur on the situation of human rights in Afghanistan, in December 1998. The Commission will have before it a note by the secretariat on this issue (E/CN.4/1999/40).

Situation of human rights in Equatorial Guinea and assistance in the field of human rights

54. Pursuant to Commission resolution 1993/69, Mr. Alejandro Artucio Rodríguez (Uruguay) was appointed Special Rapporteur on the situation of human rights in Equatorial Guinea. In its resolution 1998/71, the Commission decided to renew the mandate of the Special Rapporteur for one year and requested him to submit to the Commission at its fifty-fifth session a report stressing, in particular, recommendations on technical assistance needs of Equatorial Guinea in the fields of human rights and democracy. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1999/41).

Situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia

55. Pursuant to Commission resolution 1992/S-1/1, Mr. Tadeusz Mazowiecki (Poland) was appointed Special Rapporteur on the situation of human rights in the territory of the former Yugoslavia. Following the resignation of Mr. Mazowiecki in July 1995, the Chairman of the Commission appointed Ms. Elisabeth Rehn (Finland) Special Rapporteur. Following the resignation of Ms. Rehn in January 1998, Mr. Jiri Dienstbier (Czech Republic) was appointed Special Rapporteur, in March 1998.

56. In its resolution 1998/79, the Commission decided to renew the mandate of the Special Rapporteur for one year and requested him, in addition to the activities mandated in Commission resolutions 1994/72, 1996/71 and 1997/57:

(a) To work with the High Commissioner for Human Rights on behalf of the United Nations in dealing with the question of missing persons and to include in his report to the Commission on Human Rights information about activities concerning missing persons in the former Yugoslavia;

(b) To pay particular attention to the situation of persons belonging to ethnic minorities, displaced persons, refugees and returnees who fall within his mandate; and

(c) To address human rights issues that transcend the borders between the States covered by his mandate and which can be addressed only through concerted action in more than one country.

The Special Rapporteur was requested to report to the Commission, at its fifty-fifth session, on the work carried out in fulfilment of his mandate and to present interim reports to the General Assembly at its fifty-third session. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1999/42).

Situation of human rights in the Islamic Republic of Iran

57. In its resolution 1998/80, the Commission decided to extend the mandate of the Special Representative, as contained in Commission resolution 1984/54, for a further year and requested him to submit an interim report to the General Assembly at its fifty-third session and to report to the Commission at its fifty-fifth session. The Commission will have before it the report of the Special Representative, Mr. Maurice Copithorne (Canada) (E/CN.4/1999/32).

Situation of human rights in Burundi

58. Pursuant to Commission resolution 1995/90 Mr. Paulo Sérgio Pinheiro (Brazil) was appointed Special Rapporteur with the task of drawing up, on the basis of all the information he considers relevant and his contacts with the Burundi authorities and population, a report on the situation of human rights in Burundi. In its resolution 1998/82, the Commission decided to extend the mandate of the Special Rapporteur for one year and requested him to report to the General Assembly at its fifty-third session and to the Commission at its fifty-fifth session. The Commission will have before it a note by the secretariat on this issue (E/CN.4/1999/43).

Situation in East Timor

59. In the statement made on behalf of the Commission by the Chairman of the fifty-fourth session on 24 April 1998 (see E/1998/23-E/CN.4/1998/117, para. 416), the Commission requested the Secretary-General to keep it informed on the situation of human rights in East Timor and decided to consider the matter at its fifty-fifth session. The Commission will have before it the report of the Secretary-General (E/CN.4/1999/28).

Action by the Sub-Commission at its fiftieth session

60. The attention of the Commission is drawn to the following resolutions and decisions adopted by the Sub-Commission at its fiftieth session that are relevant to the present agenda item:

1998/1. Situation of human rights in Belarus

1998/2. Situation of human rights in the Democratic People's Republic of Korea

1998/3. Violations of the rights of human rights defenders in all countries

1998/4. Developments in the situation in Mexico

(see E/CN.4/1999/4-E/CN.4/Sub.2/1998/45, chap. II).

Action by the General Assembly at its fifty-third session

61. The attention of the Commission is also drawn to General Assembly resolutions 53/147, entitled "Extrajudicial, summary or arbitrary executions", 53/156, entitled "Situation of human rights in Rwanda"; 53/157, entitled "Situation of human rights in Iraq"; 53/158, entitled "Situation of human rights in the Islamic Republic of Iran"; 53/159, entitled "Situation of human rights in Haiti"; 53/160, entitled "Situation of human rights in the Democratic Republic of the Congo"; 53/161, entitled "Situation of human rights in Nigeria"; 53/162, entitled "Situation of human rights in Myanmar"; 53/163, entitled "Situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro)"; 53/164, entitled "Situation of human rights in Kosovo"; and 53/165, entitled "Situation of human rights in Afghanistan".

Sub-item (a) Question of human rights in Cyprus

62. This question has been considered by the Commission since its thirty-second session, when it adopted resolution 4 (XXXIII) of 27 February 1976. In its decision 1998/109, the Commission decided to retain the sub-item on its agenda and to give it due priority at its fifty-fifth session, it being understood that action required by previous resolutions of the Commission on the subject would continue to remain operative, including the request to the Secretary-General to provide a report regarding their implementation. At its present session the Commission will have before it the report of the Secretary-General (E/CN.4/1999/25).

Sub-item (b) Procedure established in accordance with Economic and Social Council resolution 1503 (XLVIII)

63. By resolution 1503 (XLVIII) of 27 May 1970, the Economic and Social Council established a procedure for dealing with communications concerning alleged violations of human rights. Particular situations referred to the

Commission by the Sub-Commission on Prevention of Discrimination and Protection of Minorities under Council resolution 1503 (XLVIII) were placed before the Commission for the first time at its thirtieth session in 1974. Since then particular situations relating to 75 countries have been placed before the Commission under the procedure.

64. From its thirtieth session, in 1974 (see Commission decision 3 (XXX) of 6 March 1974), the Commission annually set up a working group of five of its members, due account being taken of considerations of geographical distribution, to meet for one week prior to the Commission's following session to examine the particular situations referred to the Commission by the Sub-Commission under Council resolution 1503 (XLVIII) and those situations of which the Commission was seized under that procedure, and to make recommendations to the Commission on the course of action to take in respect of each particular situation. By resolution 1990/41 of 25 May 1990, the Economic and Social Council, acting on the recommendation contained in Commission resolution 1990/55 of 7 March 1990, authorized the establishment of the working group, to be referred to as the Working Group on Situations, on a permanent basis, instead of the earlier ad hoc basis.

65. At its thirtieth session, the Commission decided that the Governments concerned should henceforth be invited to submit written observations relating to the particular situations referred to the Commission (decision 3 (XXX), para. 4).

66. In 1978, the Commission decided to issue invitations, during the first week of each session, to the States directly concerned, asking them to send representatives to address the Commission and to answer any questions put by members of the Commission (decision 5 (XXXIV)).

67. In 1979, the Commission decided to authorize its Working Group on Situations in future to communicate the text of the relevant recommendations as soon as possible to the Governments directly concerned, in order to facilitate their participation in the examination of the situations concerning their countries, as provided for in Commission decision 5 (XXXIV) (decision 14 (XXXV)).

68. In 1980, the Commission decided that the States invited to attend the closed meetings of the Commission under Council resolution 1503 (XLVIII) should have the right to attend and to participate in the entire discussion of the situation concerning them, and to be present during the adoption of the final decision taken in regard to that situation (decision 9 (XXXVI)).

69. All actions taken under the procedure governed by Council resolution 1503 (XLVIII) remain confidential until such time as the Commission may decide to make recommendations to the Council. The documentation pertaining to the procedure is also confidential.

70. At its fifty-fifth session, the Commission will have before it the report of the Working Group on Situations, as well as other confidential documents pertaining to the sub-item, including the confidential report of

the fiftieth session of the Sub-Commission (E/CN.4/1999/R.1 and addenda). Observations which may be received from the Governments concerned (to be issued in the E/CN.4/1999/R.2 series) will also be made available. In addition, the Commission will have before it the relevant earlier material relating to the situations of which the Commission is seized. The above-mentioned confidential documents will be handed to the members of the Commission at the session.

71. Chapter XV of the report of the Sub-Commission on the work of its fiftieth session is also relevant to this sub-item.

Item 10. Economic, social and cultural rights

Human rights and unilateral coercive measures

72. In its resolution 1998/11, the Commission requested the Secretary-General to bring that resolution to the attention of all Member States and to seek their views and information on the implications and negative effects of unilateral coercive measures on their populations, and to submit a report thereon to the Commission on Human Rights at its fifty-fifth session. The Commission will have before it the report of the Secretary-General (E/CN.4/1999/44).

Adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights

73. Pursuant to Commission resolution 1995/81, Ms. Fatma Zohra Ksentini (Algeria) was appointed Special Rapporteur on this question. In its resolution 1998/12, the Commission decided to renew the mandate of the Special Rapporteur for a period of three years in order that she may continue to undertake, in consultation with the relevant United Nations bodies and organizations and the secretariats of relevant international conventions, a global, multidisciplinary and comprehensive study of existing problems of and solutions to illicit traffic in and dumping of toxic and dangerous products and wastes, in particular in developing countries, with a view to making concrete recommendations and proposals on adequate measures to control, reduce and eradicate these phenomena. The Commission will have before it the report of the Special Rapporteur (E/CN.4/1999/46 and Add.1).

The right to food

74. In its resolution 1998/23, the Commission invited the High Commissioner for Human Rights to report on the implementation of that resolution to the Commission at its fifty-fifth session. The Commission will have before it the report of the High Commissioner (E/CN.4/1999/45).

Effects on the full enjoyment of human rights of the economic adjustment policies arising from foreign debt and, in particular, on the implementation of the Declaration on the Right to Development

75. In its resolution 1998/24, the Commission on Human Rights decided to appoint, for a three-year period, a special rapporteur on the effects of foreign debt on the full enjoyment of economic, social and cultural rights.

The Commission requested the Special Rapporteur to present to it, on an annual basis, beginning at its fifty-fifth session, an analytical report on the implementation of that resolution, paying particular attention to:

(a) The negative effects of the foreign debt and the policies adopted to face it on the full enjoyment of economic, social and cultural rights in developing countries;

(b) Measures taken by Governments, the private sector and international financial institutions to alleviate such effects in developing countries, especially the poorest and heavily indebted countries.

The Economic and Social Council approved that decision in its decision 1998/249.

76. Pursuant to Commission resolution 1998/24, Mr. Reinaldo Figueredo (Venezuela) was appointed Special Rapporteur, in August 1998. In this connection, the Commission will have before it a note by the secretariat (E/CN.4/1999/47).

Human rights and extreme poverty

77. In its resolution 1998/25, the Commission decided to appoint, for a period of two years, an independent expert on the question of human rights and extreme poverty to:

(a) Evaluate the relationship between the promotion and protection of human rights and extreme poverty, including through the evaluation of measures taken at the national and international levels to promote the full enjoyment of human rights by persons living in extreme poverty;

(b) Take into account in particular the obstacles encountered and progress made by women living in extreme poverty as regards the enjoyment of their fundamental rights;

(c) Make recommendations and, as appropriate, proposals in the sphere of technical assistance.

The Independent Expert was requested, inter alia, to report on those activities to the Commission at its fifty-fifth and fifty-sixth sessions, and to make suggestions to the Commission at its fifty-fifth session on the main points of a possible draft declaration on human rights and extreme poverty so that the Commission could consider the possibility of initiating at the fifty-first session of the Sub-Commission the drafting by that body of a text for examination by the Commission and possible adoption by the General Assembly. The Economic and Social Council approved that decision in its decision 1998/250.

78. Pursuant to Commission resolution 1998/25, Ms. Anne-Marie Lizin (Belgium) was appointed independent expert in August 1998. The Commission will have before it the report of the independent expert (E/CN.4/1999/48).

Question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, and study of special problems which the developing countries face in their efforts to achieve these human rights

79. In its resolution 1998/33, the Commission decided, as part of its efforts to impart a higher visibility to economic, social and cultural rights, to appoint, for a period of three years, a special rapporteur whose mandate would focus on the right to education, as laid down in article 26 of the Universal Declaration of Human Rights and in the relevant and applicable provisions of the International Covenant on Economic, Social and Cultural Rights. The Special Rapporteur was requested to submit to the Commission, beginning at its fifty-fifth session, a report covering the activities relating to the mandate. The Economic and Social Council approved that decision in its decision 1998/253. Pursuant to Commission resolution 1998/33, Ms. Katarina Tomasevski (Croatia) was appointed Special Rapporteur, in August 1998. At the present session, the Commission will have before it the report of the Special Rapporteur (E/CN.4/1999/49).

80. The Commission will also have before it a note by the secretariat containing comments submitted by States and non-governmental organizations on the draft optional protocol to the International Covenant on Economic, Social and Cultural Rights pursuant to Commission resolution 1998/33 (E/CN.4/1999/112) (see also para. 166 below).

Effects of structural adjustment policies on the full enjoyment of human rights

81. In its decision 1998/102, the Commission decided to authorize the open-ended working group on structural adjustment programmes and economic, social and cultural rights to meet for one week, at least four weeks before the fifty-fifth session of the Commission, to consider the report of the independent expert and the comments received thereon and to report to the Commission at its fifty-fifth session. The Economic and Social Council approved that decision in its decision 1998/276. The Commission will have before it the report of the independent expert, Mr. Fantu Cheru (United States of America) (E/CN.4/1999/50) and the report of the working group (E/CN.4/1999/51).

Other matters

82. In connection with the present agenda item, the attention of the Commission is also drawn to draft resolution 1 and draft decision 2, in chapter I of the report of the Sub-Commission on its fiftieth session (see E/CN.4/1999/4-E/CN.4/Sub.2/1998/45) and to resolutions 1998/7, 1998/8, 1998/9, 1998/11, 1998/12, 1998/13, 1998/14 and decision 1998/106 of the Sub-Commission.

83. The attention of the Commission is also drawn to General Assembly resolutions 53/141, entitled "Human rights and unilateral coercive measures", and 53/146, entitled "Human rights and extreme poverty".

Item 11. Civil and political rights, including questions of:

(a) Torture and detention

(b) Disappearances and summary executions

(c) Freedom of expression

(d) Independence of the judiciary, administration of justice, impunity

(e) Religious intolerance

(f) States of emergency

(g) Conscientious objection to military service

Human rights and terrorism

84. In resolution 1998/47, the Commission requested the Secretary-General to continue to collect information, including a compilation of studies and publications, on the implications of terrorism and of the fight against terrorism for the full enjoyment of human rights from all relevant sources, including Governments, specialized agencies, intergovernmental organizations, non-governmental organizations and academic institutions, and to make it available to the concerned special rapporteurs and working groups of the Commission on Human Rights for their consideration. The Commission decided to continue its consideration of the question at its fifty-fifth session as a matter of priority.

85. The attention of the Commission is also drawn to resolution 1998/29 of the Sub-Commission.

Human rights and arbitrary deprivation of nationality

86. In its resolution 1998/48, the Commission requested the Secretary-General to report to the Commission at its fifty-fifth session on the implementation of that resolution and decided to remain seized of the matter. The Commission will have before it the report of the Secretary-General (E/CN.4/1999/56).

Hostage-taking

87. In its resolution 1998/73, the Commission decided to remain seized of this matter.

Sub-item (a) Torture and detention

Question of a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

88. At its forty-eighth session, in its resolution 1992/43, the Commission decided to establish an open-ended inter-sessional working group to elaborate

a draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment designed to establish a preventive system of visits to places of detention, using as a basis for its discussion the draft text proposed by the Government of Costa Rica on 22 January 1991, and to consider implications of its adoption and the relationship between the draft optional protocol, regional instruments and the Committee against Torture.

89. At its fifty-fourth session, in resolution 1998/34, the Commission requested the open-ended working group, in order to continue its work, to meet prior to the fifty-fifth session of the Commission for a period of two weeks, in the course of which the Chairman of the working group, in consultation with the members of the group, might request one additional week with a view to completing expeditiously a final and substantive text, and to report to the Commission at its fifty-fifth session. The Working Group met from 28 September to 9 October 1998 in Geneva. At the present session, the Commission will have before it the report of the Working Group (E/CN.4/1999/59).

Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

90. In its resolution 1998/38, the Commission requested the Secretary-General to submit to the Commission an annual report on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Commission will have before it the report of the Secretary-General (E/CN.4/1999/54).

Special Rapporteur on the question of torture

91. At its forty-first session the Commission, in its resolution 1985/33, decided to appoint a special rapporteur to examine questions relevant to torture. The current special rapporteur, Mr. Nigel S. Rodley (United Kingdom of Great Britain and Northern Ireland), was appointed to the post in April 1993. In its resolution 1998/38, the Commission decided to extend the mandate of the Special Rapporteur for three years. At the present session, the Commission will have before it the report of the Special Rapporteur (E/CN.4/1999/61 and Add.1).

United Nations Voluntary Fund for Victims of Torture

92. In December 1981, the General Assembly, in its resolution 36/151, established the United Nations Voluntary Fund for Victims of Torture and adopted the arrangements for the management of the Fund (A/36/540). Voluntary contributions paid to the Fund are distributed, through established channels of assistance, as medical, psychological, psychiatric, social, economic or legal assistance to the victims of torture and their relatives. The Fund is administered by the High Commissioner for Human Rights on behalf of the Secretary-General with the advice of a Board of Trustees authorized to promote and solicit contributions and pledges.

93. The General Assembly, in its resolution 51/86, and the Commission on Human Rights, in its resolution 1998/38, requested the Secretary-General to

transmit to all Governments in a position to do so their appeals to contribute annually to the Fund, before the annual meeting in May of the Board of Trustees of the Fund, if possible with a substantial increase in the number and level of contributions in order to take into consideration the ever-increasing demand for assistance. In both resolutions the Secretary-General was requested to continue to include the Fund on an annual basis among the programmes for which funds are pledged at the United Nations Pledging Conference for Development Activities. The General Assembly requested the Secretary-General to assist the Board to make better known the existence of the Fund and, in that effort to make use of all existing possibilities, including the preparation, production and dissemination of information materials.

94. In its resolution 1998/38, the Commission on Human Rights called upon the Board of Trustees of the Fund to report to the Commission at its fifty-fifth session and present an updated assessment of the global need for international funding of rehabilitation services for victims of torture and requested the Secretary-General to continue to keep the Commission informed of the operations of the Fund on an annual basis. At the present session, the Commission will have before it the report of the Secretary-General on the Fund to the General Assembly (A/53/283) and updated information for the Commission (E/CN.4/1999/55).

Question of arbitrary detention

95. At its forty-seventh session, in resolution 1991/42, the Commission decided to create, for a three-year period, a working group composed of five independent experts, with the task of investigating cases of detention imposed arbitrarily or otherwise inconsistently with relevant international standards or the relevant international legal instruments accepted by the States concerned. At its fifty-third session, in resolution 1997/50, the Commission decided to renew, for a three-year period the mandate of the Working Group.

96. At its fifty-fourth session, the Commission, in resolution 1998/41, requested the Working Group to submit to it, at its fifty-fifth session, a report on its activities and on the implementation of that resolution, and to include any suggestions and recommendations which would enable it to discharge its task in the best possible way, and to continue its consultations to that end within the framework of its terms of reference.

97. At the present session, the Commission will have before it the report of the Working Group (E/CN.4/1999/63 and Add.1-4).

Sub-item (b) Disappearances and summary executions

Question of enforced or involuntary disappearances

98. In pursuance of General Assembly resolution 33/173, the Commission by resolution 20 (XXXVI) of 29 February 1980, decided to establish for a period of one year a working group consisting of five of its members, to serve as experts in their individual capacities, to examine questions relevant to enforced or involuntary disappearances of persons. The Commission has

regularly renewed the Group's mandate since this time, most recently at its fifty-fourth session when, in its resolution 1998/40, it extended the Working Group's mandate for three years. In this resolution, the Commission requested the Group to report on its activities to the Commission at its fifty-fifth session. The Commission will have before it the report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1999/62 and Add.1-2).

99. In connection with the present sub-item, the attention of the Commission is also drawn to resolution 1998/25, entitled "Draft international convention on the protection of all persons from enforced disappearance", adopted by the Sub-Commission at its fiftieth session (see E/CN.4/1999/4-E/CN.4/Sub.2/1998/45, chap. II) and to Sub-Commission document E/CN.4/Sub.2/1998/19. In this regard, the Commission will have before it a note by the Secretary-General (E/CN.4/1999/111).

Sub-item (c) Freedom of expression

Right to freedom of opinion and expression

100. Pursuant to Commission resolution 1993/45, Mr. Abid Hussain (India) was appointed Special Rapporteur on the right to freedom of opinion and expression. In its resolution 1996/53, the Commission decided to renew the mandate of the Special Rapporteur for a period of three years. At its present session, pursuant to its resolution 1998/42, the Commission will have before it the report of the Special Rapporteur (E/CN.4/1999/64 and Add.1-2).

Sub-item (d) Independence of the judiciary, administration of justice, impunity

Independence of judges and lawyers

101. Pursuant to Commission resolution 1994/41, Mr. Param Cumaraswamy (Malaysia) was appointed Special Rapporteur on the independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers. In its resolution 1997/23, the Commission decided to extend the mandate of the Special Rapporteur for a further period of three years.

102. In its resolution 1998/35, the Commission requested the Special Rapporteur to submit a report on the activities relating to his mandate to the Commission at its fifty-fifth session, and decided to consider this question at that session. The Commission will have before it the report of the Special Rapporteur on the independence of judges and lawyers (E/CN.4/1999/60 and Add.1).

Right to restitution, compensation and rehabilitation for victims of grave violations of human rights and fundamental freedoms

103. In its resolution 1997/29, the Commission requested the Secretary-General to prepare an additional report on the basis of the replies he received from States for submission to the Commission on Human Rights at its fifty-fifth session. The Commission will have before it a note by the Secretary-General (E/CN.4/1999/53).

104. At its fifty-fourth session, the Commission, in its resolution 1998/43, requested the Chairman of the Commission to appoint an expert to prepare a revised version of the basic principles and guidelines on the right to reparation for victims of [gross] violations of human rights and international humanitarian law elaborated by Mr. van Boven and contained in document E/CN.4/1997/104, taking into account the views and comments provided by States and intergovernmental and non-governmental organizations, and to submit it to the Commission at its fifty-fifth session, with a view to its adoption by the General Assembly. The Economic and Social Council approved that decision in its decision 1998/256.

105. Pursuant to Commission resolution 1998/43, Mr. Charif Bassiouni (Egypt/United States of America) was appointed independent expert, in August 1998. The Commission will have before it the report prepared by the independent expert (E/CN.4/1999/65).

Impunity

106. In its resolution 1998/53, the Commission requested the Secretary-General to invite States to provide information on any legislative, administrative or other steps they have taken to combat impunity for human rights violations in their territory and to provide information on remedies available to the victims of such violations. The Commission also requested the Secretary-General to collect the information and comments received pursuant to that resolution and to submit a report to the Commission at its fifty-fifth session. The Commission will have before it the report of the Secretary-General (E/CN.4/1999/57).

Sub-item (e) Religious intolerance

Implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief

107. At its forty-second session, in resolution 1986/20, the Commission decided to appoint a special rapporteur to examine incidents and governmental actions which were inconsistent with the provisions of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (General Assembly resolution 36/55).

108. Mr. Abdelfattah Amor (Tunisia), succeeded Mr. Angelo d'Almeida Ribeiro (Portugal) as Special Rapporteur, in 1993 submitted successive reports (E/CN.4/1994/79; E/CN.4/1995/91 and Add.1; E/CN.4/1996/95 and Add.1-2; E/CN.4/1997/91 and Add.1; E/CN.4/1998/6 and Add.1 and 2) to the Commission on Human Rights at its fiftieth to fifty-fourth sessions, as well as to the General Assembly at its fiftieth to fifty-third sessions (annexes to documents A/50/440; A/51/542 and Add.1-2; A/52/477 and Add.1; A/53/279).

109. At its fifty-fourth session, in resolution 1998/18, the Commission decided to extend the mandate of the Special Rapporteur for three years.

110. At the present session, the Commission will have before it the report of the Special Rapporteur (E/CN.4/1999/58 and Add.1-2) submitted pursuant to Commission resolution 1998/18.

Sub-item (f) States of emergency

111. At its fifty-fourth session, the Commission, in its decision 1998/108, having taken note of the final report and the tenth annual list of States which, since 1 January 1985, had proclaimed, extended or terminated a state of emergency submitted by Mr. Leandro Despouy, the Special Rapporteur of the Sub-Commission (E/CN.4/Sub.2/1997/19 and Add.1), decided to request the Office of the United Nations High Commissioner for Human Rights to submit to the Sub-Commission at its fifty-first session, and every second year thereafter, a list of States in which a state of emergency was proclaimed or was continued during the reporting period.

Sub-item (g) Conscientious objection to military service

112. At its fifty-fourth session, the Commission, in resolution 1998/77, decided to consider this matter further at its fifty-sixth session.

Other matters

113. In connection with the present agenda item, the attention of the Commission is drawn to General Assembly resolutions 53/139, entitled "Torture and other cruel, inhuman or degrading treatment or punishment"; 53/140, entitled "Elimination of all forms of religious intolerance"; and 53/150, entitled "Question of enforced or involuntary disappearances". The attention of the Commission is also drawn to decision 1998/110 adopted by the Sub-Commission at its fiftieth session (see E/CN.4/1999/4-E/CN.4/Sub.2/1998/45, chap. II).

Item 12. Integration of the human rights of women and the gender perspective:

(a) Violence against women

Integrating the human rights of women into the human rights mechanisms of the United Nations

114. At its fiftieth session, the Commission adopted resolution 1994/45, entitled "The question of integrating the rights of women into the human rights mechanism of the United Nations and the elimination of violence against women", in which, inter alia, it called for intensified effort at the international level to integrate the equal status of women and the human rights of women into the mainstream of United Nations system-wide activity and to address these issues regularly and systematically throughout relevant United Nations bodies and mechanisms.

115. In its resolution 1998/51, the Commission requested the Secretary-General to report to the Commission at its fifty-fifth session on the implementation of that resolution. Pursuant to that request, the Commission will have before it the report of the Secretary-General (E/CN.4/1999/67 and Add.1).

Traffic in women and girls

116. In its resolution 1998/30, the Commission requested the Secretary-General to provide the Commission at its fifty-fifth session with his report to the General Assembly at its fifty-third session on the implementation of General Assembly resolution 52/98. The Commission will have before it a note by the Secretary-General (E/CN.4/1999/66) transmitting that report (A/53/409).

Sub-item (a) Violence against women

117. At its fiftieth session, in resolution 1994/45, the Commission decided to appoint, for a three-year period, a special rapporteur on violence against women, including its causes and consequences. Subsequently Ms. Radhika Coomaraswamy (Sri Lanka), was appointed Special Rapporteur. In its resolution 1997/44, the Commission decided that the mandate of the Special Rapporteur should be renewed for a period of three years and requested the Special Rapporteur to report annually to the Commission, beginning at its fifty-fourth session, on activities relating to her mandate. At the present session, the Commission will have before it the report of the Special Rapporteur (E/CN.4/1999/68 and Add.1-4). Pursuant to the request contained in its resolution 1998/52, the Commission will also have before it the report of the Secretary-General on the implementation of General Assembly resolution 52/99 on traditional or customary practices affecting the health of women and girls (A/53/354).

118. In connection with the present agenda item, the attention of the Commission is also drawn to draft decision 3, in chapter I.B of the report of the Sub-Commission on its fiftieth session (see E/CN.4/1999/4-E/CN.4/Sub.2/1998/45) and to resolutions 1998/15, 1998/16, 1998/17, 1998/18 and to paragraphs 3 to 36 of resolution 1998/19 adopted by the Sub-Commission.

Item 13. Rights of the child

The impact of armed conflict on children

119. At its fifty-first session, the General Assembly, in its resolution 51/77, recommended that the Secretary-General appoint for a period of three years a Special Representative on the impact of armed conflict on children and requested the Special Representative to submit to the General Assembly and the Commission on Human Rights an annual report containing relevant information on the situation of children affected by armed conflict. Mr. Olara Otunnu (Côte d'Ivoire) was subsequently nominated as Special Representative. At its present session, the Commission will have before it a note by the Secretary-General (E/CN.4/1999/72) transmitting the report of the Special Representative (A/53/482).

Programme of Action for the Elimination of the Exploitation of Child Labour

120. At its forty-ninth session, the Commission, in resolution 1993/79, adopted the Programme of Action for the Elimination of the Exploitation of Child Labour. The Commission requested the Sub-Commission to submit to it

every two years a progress report on the implementation of the Programme of Action by all States and decided to consider the question of the implementation of the Programme of Action every two years.

121. At its present session, the Commission will have before it a note by the Secretary-General (E/CN.4/1999/105) transmitting the report of the Secretary-General submitted to the Sub-Commission at its fiftieth session (E/CN.4/Sub.2/1998/12), containing the replies of States concerning the implementation of the Programme of Action.

Abduction of children from northern Uganda

122. At its fifty-fourth session, the Commission, in resolution 1998/75, recognizing the urgent need for the adoption of effective measures, nationally, regionally and internationally, to protect the civilian population, especially women and children, in northern Uganda from the effects of armed conflict, requested the Secretary-General to report on the implementation of that resolution to the Commission at its fifty-fifth session. At its present session, the Commission will have before it the report of the Secretary-General (E/CN.4/1999/69).

Report of the Special Rapporteur on the sale of children, child prostitution and child pornography

123. At its forty-sixth session, in its resolution 1990/68, the Commission decided to appoint a special rapporteur to consider matters relating to the sale of children, child prostitution and child pornography, including the problem of the adoption of children for commercial purposes. Subsequently, Mr. Vitit Muntarbhorn (Thailand) was appointed Special Rapporteur. Following the resignation of Mr. Muntarbhorn in October 1994, Ms. Ofelia Calcetas-Santos (Philippines) was appointed Special Rapporteur.

124. At its fifty-fourth session, the Commission, in resolution 1998/76, decided to renew the mandate of the Special Rapporteur for a further three years, requested the Secretary-General to provide the Special Rapporteur with all necessary assistance and urged all relevant parts of the United Nations system to provide the Special Rapporteur with comprehensive reporting to make the full discharge of her mandate possible and to enable her to submit a report to the General Assembly at its fifty-third session and a report to the Commission on Human Rights at its fifty-fifth session. The interim report of the Special Rapporteur to the General Assembly at its fifty-third session is contained in document A/53/311.

125. At its present session, the Commission will have before it the report of the Special Rapporteur (E/CN.4/1999/70) and a report on her mission to the Lao People's Democratic Republic (E/CN.4/1999/70/Add.1). The attention of the Commission is also drawn to paragraphs 13, 14 and 25 of resolution 1998/19 of the Sub-Commission.

Draft optional protocol to the Convention on the Rights of the Child on the prevention of the sale of children, child prostitution and child pornography, as well as the basic measures needed for their prevention and eradication

126. At its fiftieth session, in resolution 1994/90, and in follow-up to General Assembly resolution 48/156, the Commission decided to establish an open-ended inter-sessional working group of the Commission on Human Rights responsible for elaborating, as a matter of priority and in close cooperation with the Special Rapporteur and the Committee on the Rights of the Child, guidelines for a possible draft optional protocol on the sale of children, child prostitution and child pornography, as well as the basic measures required for their prevention and eradication.

127. At its fifty-first session, in resolution 1995/78, the Commission decided that the working group should elaborate, as a matter of priority and in close cooperation with the Special Rapporteur and the Committee on the Rights of the Child, and on the basis of the guidelines contained in annex I of its report (E/CN.4/1995/95), a draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

128. At its fifty-fourth session, the Commission considered the report on the fourth session of the working group (E/CN.4/1998/103) and, in its resolution 1998/76, requested the working group to meet for a period of two weeks prior to the next session of the Commission and to redouble its efforts with the aim of finalizing the draft optional protocol by the tenth anniversary of the Convention on the Rights of the Child and, to that end, encouraged the Chairman of the working group to conduct broad informal consultations. At the present session, the Commission will have before it the report of the working group on its fifth session (E/CN.4/1999/74).

Draft optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts

129. At its fiftieth session, in its resolution 1994/91, the Commission on Human Rights decided to establish an open-ended inter-sessional working group of the Commission to elaborate, as a matter of priority, a draft optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts, using as one basis for its discussions the preliminary draft optional protocol submitted by the Committee on the Rights of the Child (E/CN.4/1994/91).

130. At its fifty-fourth session, the Commission, in resolution 1998/76, welcomed the report of the working group on its fourth session (E/CN.4/1998/102) and encouraged the Chairman of the working group to conduct broad informal consultations with the aim of promoting an early agreement on the optional protocol and to produce a report thereon including, if possible, recommendations and/or ideas on the best way for the formal negotiations to proceed. The Commission requested the working group to meet in early 1999, primarily to consider the Chairman's report on the status of the informal consultations, and to report to the Commission on Human Rights at its fifty-fifth session. The Commission reaffirmed the aim of finalizing the

draft optional protocol by the tenth anniversary of the Convention on the Rights of the Child. At the present session, the Commission will have before it the report of the working group on its fifth session (E/CN.4/1999/73).

Status of the Convention on the Rights of the Child

131. In its resolution 1998/76, the Commission requested the Secretary-General to submit to the Commission at its fifty-fifth session a report on the rights of the child, with information on the status of the Convention on the Rights of the Child and on the problems addressed in that resolution. At the present session, the Commission will have before it the report of the Secretary-General (E/CN.4/1999/70). The reports of the Committee on the Rights of the Child on its seventeenth (CRC/C/73), eighteenth (CRC/C/79) and nineteenth (CRC/C/80) sessions will be available.

132. The attention of the Commission is also drawn to General Assembly resolutions 53/127, entitled "The girl child", and 53/128, entitled "The rights of the child".

Item 14. Specific groups and individuals:

(a) Migrant workers

(b) Minorities

(c) Mass exoduses and displaced persons

(d) Other vulnerable groups and individuals

Sub-item (a) Migrant workers

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

133. In its resolution 1998/15, the Commission requested the Secretary-General to submit to the Commission at its fifty-fifth session a report on the status of the Convention and on the efforts made by the Secretariat to promote the Convention and the protection of the rights of migrant workers. The Commission will have before it the report of the Secretary-General (E/CN.4/1999/77).

Migrants and human rights

134. In its resolution 1997/15, the Commission decided to establish a working group consisting of five intergovernmental experts to meet for two periods of five working days prior to the fifty-fourth session of the Commission, with a mandate to: (a) gather all relevant information from Governments, non-governmental organizations and any other relevant sources on the obstacles existing to the effective and full protection of the human rights of migrants; and (b) elaborate recommendations to strengthen the promotion, protection and implementation of the human rights of migrants. At its fifty-fourth session, the Commission had before it the report of the working group (E/CN.4/1998/76).

135. In its resolution 1998/16, the Commission decided to reconvene the working group of intergovernmental experts, on the same basis, in order that it might fulfil its mandate as set out in paragraph 3 of Commission resolution 1997/15, to meet for two periods of five working days prior to the fifty-fifth session of the Commission. The Commission requested the working group to submit a report to it at its fifty-fifth session. The Commission will have before it the report of the working group (E/CN.4/1999/80).

136. The attention of the Commission is also drawn to General Assembly resolutions 53/137, entitled "International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families", and 53/143, entitled "Respect for the right to universal freedom of travel and the vital importance of family reunification". The attention of the Commission is also drawn to resolution 1998/10 adopted by the Sub-Commission at its fiftieth session (see E/CN.4/1999/4-E/CN.4/Sub.2/1998/45, chap. II).

Sub-item (b) Minorities

Rights of persons belonging to national or ethnic, religious and linguistic minorities

137. In its resolution 49/192, the General Assembly called upon the Commission on Human Rights to examine, as a matter of priority, ways and means to promote and protect effectively the rights of persons belonging to minorities as set out in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

138. Pursuant to Commission resolution 1995/24, the Sub-Commission established, initially for a three-year period, an inter-sessional working group consisting of five of its members to meet each year for five working days, in particular to:

(a) Review the promotion and practical realization of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;

(b) Examine possible solutions to problems involving minorities, including the promotion of mutual understanding between and among minorities and Governments; and

(c) Recommend further measures, as appropriate, for the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities.

139. In its resolution 1998/19, the Commission decided to extend the mandate of the Working Group with a view to its holding one session of five working days annually. The Secretary-General was requested to submit to the Commission at its fifty-fifth session a report on the implementation of that resolution. The Commission will have before it the report of the Secretary-General (E/CN.4/1999/78) and the report of the Working Group on its fourth session (E/CN.4/Sub.2/1998/18).

140. The attention of the Commission is also drawn to resolution 1998/24 adopted by the Sub-Commission at its fiftieth session, and to draft decision 8 proposed to the Commission for action, contained in chapter I of the report of the Sub-Commission on its fiftieth session (E/CN.4/1999/4-E/CN.4/Sub.2/1998/45).

Sub-item (c) Mass exoduses and displaced persons

Internally displaced persons

141. In its resolution 1998/50, the Commission decided to extend for a further three years the mandate of the representative of the Secretary-General on internally displaced persons, Mr. Francis Deng (Sudan). The Commission will have before it the report of the representative of the Secretary-General on internally displaced persons (E/CN.4/1999/79 and Add.1-2).

142. The attention of the Commission is also drawn to resolutions 1998/26 and 1998/27 adopted by the Sub-Commission at its fiftieth session (see E/CN.4/1999/4-E/CN.4/Sub.2/1998/45, chap. II).

Sub-item (d) Other vulnerable groups and individuals

Contemporary forms of slavery

143. In its resolution 1997/20, the Commission requested the Secretary-General to continue the examination of the reliability of allegations regarding the removal of organs and tissues of children and adults for commercial purposes and to include an analysis of this question in an updated report to be submitted to the Commission at its fifty-fifth session, in order to enable the Commission to decide whether continued attention to this question is required. The Commission will have before it the report of the Secretary-General (E/CN.4/1999/75).

144. In its resolution 1997/20, the Commission also requested the Secretary-General to transmit to Governments an appeal for contributions to the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery. At the present session, the Commission will have before it the report of the Secretary-General on the financial situation of the Fund (E/CN.4/1999/85).

145. The attention of the Commission is also drawn to resolutions 1998/19 and 1998/20 adopted by the Sub-Commission at its fiftieth session (see E/CN.4/1999/4-E/CN.4/Sub.2/1998/45, chap. II).

The protection of human rights in the context of the human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS)

146. In its resolution 1997/33, the Commission invited all States to consider the Guidelines on the promotion and protection of fundamental rights and freedoms in the context of HIV/AIDS, recommended by the experts who participated in the Second International Consultation on HIV/AIDS and Human Rights, as contained in document E/CN.4/1997/37 and summarized in the annex to

that resolution. The Secretary-General was requested to solicit the opinion of Governments, specialized agencies and international non-governmental organizations and to prepare for consideration by the Commission at its fifty-fifth session a progress report on the follow-up to that resolution. The Commission will have before it the report of the Secretary-General (E/CN.4/1999/76).

Item 15. Indigenous issues

International Decade of the World's Indigenous People

147. The General Assembly, in its resolution 48/163 of 21 December 1993, proclaimed the International Decade of the World's Indigenous People commencing on 10 December 1994. In its resolution 50/157, the General Assembly adopted the Programme of Activities for the International Decade of the World's Indigenous People as contained in the annex to the resolution and requested the Secretary-General to report on progress made at the national, regional and international levels to the General Assembly (see A/53/310). The Commission, in resolution 1998/13, requested the High Commissioner for Human Rights, in her capacity as Coordinator for the Decade, to submit an updated annual report reviewing activities within the United Nations system under the programme of activities for the Decade to the Commission at its fifty-fifth session. The Commission will have before it the report of the High Commissioner (E/CN.4/1999/81). This report also contains relevant information on the financial status and activities of the Voluntary Fund for Indigenous Populations and the Voluntary Fund for the International Decade of the World's Indigenous People.

Working group of the Commission on Human Rights to elaborate a draft declaration

148. In its resolution 1995/32, the Commission decided to establish an open-ended inter-sessional working group of the Commission with the sole purpose of elaborating a draft declaration, considering the draft contained in the annex to Sub-Commission resolution 1994/45, entitled "draft United Nations declaration on the rights of indigenous peoples". In its resolution 1998/14, the Commission recommended that the working group meet for 10 working days and requested it to submit a progress report to the Commission at its fifty-fifth session. The Economic and Social Council approved that decision in its resolution 1998/34. The working group met from 30 November to 11 December 1998. The Commission will have before it the report of the working group on its fourth session (E/CN.4/1999/82).

A permanent forum for indigenous people in the United Nations system

149. The Commission on Human Rights, in its resolution 1998/20, decided to establish an open-ended inter-sessional ad hoc working group, from within existing overall United Nations resources, to elaborate and consider further proposals for the possible establishment of a permanent forum for indigenous people in the United Nations system; and requested the ad hoc working group

to submit its report, including proposals, to the Commission at its fifty-fifth session for consideration. The Economic and Social Council approved that decision in its decision 1998/247. The Commission will have before it the report of the ad hoc working group (E/CN.4/1999/83).

150. The attention of the Commission is also drawn to draft decisions 5, 6 and 7 in chapter I.B of the report of the report of the Sub-Commission on its fiftieth session (see E/CN.4/1999/4-E/CN.4/Sub.2/1998/45) and to resolutions 1998/21, 1998/22 and 1998/23 and decision 1998/107 of the Sub-Commission.

151. The attention of the Commission is also drawn to General Assembly resolutions 53/129 entitled "International Decade of the World's Indigenous People" and 53/130 entitled "United Nations Voluntary Fund for Indigenous Populations".

Item 16. Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities:

(a) Report and draft decisions

(b) Election of members

Sub-item (a) Report and draft decisions

152. The report of the Sub-Commission on its fiftieth session is contained in document E/CN.4/1999/4-E/CN.4/Sub.2/1998/45.

153. At its fiftieth session, the Sub-Commission adopted 30 resolutions and 15 decisions, which are reproduced in the report.

154. Chapter I of the report of the Sub-Commission contains one draft resolution and eight draft decisions proposed to the Commission for action. They are as follows:

A. Draft resolution

Human rights and income distribution

B. Draft decisions

1. The concept and practice of affirmative action

2. Promotion of the realization of the right to drinking water supply and sanitation services

3. Traditional practices affecting the health of women and the girl child

4. Systematic rape, sexual slavery and slavery-like practices during armed conflict, including internal armed conflict

5. Study on indigenous land rights

6. International Decade of the World's Indigenous People

7. Working Group on Indigenous Populations

8. Prevention of discrimination against and the protection of minorities

155. Annex IV to the report of the Sub-Commission contains a list of the resolutions and decisions of the Sub-Commission referring to matters which are drawn to the attention of the Commission.

156. In its resolution 1998/28, the Commission decided to invite the Chairman of the Sub-Commission at its fiftieth session to report to the Commission at its fifty-fifth session on significant aspects of the work of the Sub-Commission. The Commission also invited its Chairman to address the Sub-Commission about the debate under this item.

157. The Commission will have before it the report of the Chairman of the Sub-Commission submitted pursuant to Commission resolution 1998/28 (E/CN.4/1999/94).

Sub-item (b) Election of members

158. In accordance with Economic and Social Council resolution 1334 (XLIV) of 31 May 1968 and 1986/35 of 23 May 1986 and decisions 1978/21 of 5 May 1978 and 1987/102 of 6 February 1987, the Commission on Human Rights, at its forty-fourth session in 1988, elected 26 members of the Sub-Commission, as well as their alternates, if any, from nominations of experts made by States Members of the United Nations on the following basis: seven members from African States; five members from Asian States; three members from Eastern European States; five members from Latin American States; six members from Western European and other States.

159. Pursuant to the procedure established in Council resolution 1986/35, members of the Sub-Commission are elected for a term of four years and half of its membership and the corresponding alternates, if any, are elected every two years.

160. In 1998, when the term of office of half of the membership of the Sub-Commission had expired, the Commission, at its fifty-fourth session, elected 13 Sub-Commission members in accordance with the following pattern: three members from African States; three members from Asian States; one member from Eastern European States; three members from Latin American States; and three members from Western European and other States (see E/1998/23-E/CN.4/1998/177, chap. XXIV).

161. New elections of Sub-Commission members and alternates will be held in 2000, during the fifty-sixth session of the Commission on Human Rights.

Item 17. Promotion and protection of human rights:

(a) Status of the International Covenants on Human Rights

(b) Human rights defenders

(c) Information and education

(d) Science and environment

Minimum humanitarian standards

162. In its resolution 1998/29, the Commission, having welcomed the analytical report of the Secretary-General on the issue of fundamental standards of humanity (E/CN.4/1998/87 and Add.1), requested the Secretary-General, in coordination with the International Committee of the Red Cross and within existing resources, to continue to study and consult on the issues identified for further clarification in the analytical report and to submit a report entitled "Fundamental standards of humanity" to the Commission at its fifty-fifth session. The Commission will have before it the report of the Secretary-General (E/CN.4/1999/92).

Culture of peace

163. In its resolution 1998/54, the Commission decided to consider the question of a culture of peace at its fifty-fifth session.

Enhancement of international cooperation in the field of human rights

164. In its resolution 1998/81, the Commission decided to continue its consideration of this question at its fifty-fifth session.

Sub-item (a) Status of the International Covenants on Human Rights

Question of the death penalty

165. In its resolution 1998/8, the Commission requested the Secretary-General to continue to submit to it, in consultation with Governments, specialized agencies and intergovernmental and non-governmental organizations, a yearly supplement on changes in law and practice concerning the death penalty worldwide to his quinquennial report on capital punishment and implementation of the Safeguards guaranteeing protection of the rights of those facing the death penalty. The Commission will have before it the report of the Secretary-General (E/CN.4/1999/52).

Status of the International Covenants on Human Rights

166. In its resolution 1998/9, the Commission requested the Secretary-General to submit to it, at its fifty-fifth and fifty-sixth sessions, a report on the status of the International Covenant on Economic, Social and Cultural Rights and on the International Covenant on Civil and Political Rights and its Optional Protocols, including all reservations and declarations. Accordingly, the Commission will have before it the report of the Secretary-General on the

status of the International Covenants on Human Rights (E/CN.4/1999/91). Reservations, declarations, notifications and objections relating to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and the Optional Protocols thereto are contained in document ST/LEG/SER.E/16.

167. In its resolution 1998/33, the Commission requested the High Commissioner for Human Rights to urge all States parties to the International Covenant on Economic, Social and Cultural Rights to submit their comments on the report by the Committee on Economic, Social and Cultural Rights to the Commission on a draft optional protocol for the consideration of communications in relation to the Covenant (E/CN.4/1997/105, annex). In this regard, the Commission will have before it a note by the Secretary-General (E/CN.4/1999/112) circulated under item 10 of the provisional agenda (see para. 80 above).

Sub-item (b) Human rights defenders

168. At its fifty-fourth session, the Commission, in resolution 1998/7, approved the text of the draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms, as contained in the annex to that resolution, and decided to consider the question at its fifty-fifth session.

169. The Economic and Social Council, in its resolution 1998/33, approved the draft declaration and recommended it to the General Assembly for adoption at its fifty-third session.

170. The General Assembly, in its resolution 53/144 of 9 December 1998, adopted the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, annexed to that resolution. The Assembly invited Governments, agencies and organizations of the United Nations system and intergovernmental and non-governmental organizations to intensify their efforts to disseminate the Declaration and to promote universal respect and understanding thereof, and requested the Secretary-General to include the text of the Declaration in the next edition of Human Rights: A Compilation of International Instruments.

171. The attention of the Commission is also drawn to resolution 1998/3 adopted by the Sub-Commission at its fiftieth session (see also paragraph 60 above).

Sub-item (c) Information and education

Development of public information activities in the field of human rights, including the World Public Information Campaign for Human Rights

172. At its fifty-third session, in resolution 1997/41, the Commission requested the Secretary-General to submit to it at its fifty-fifth session, a report on public information activities, with special emphasis on activities relating to the World Public Information Campaign for Human Rights and those

for the fiftieth anniversary of the Universal Declaration of Human Rights, including information on expenditures incurred in the biennium 1996-1997 and those envisaged for the biennium 1998-1999. The Commission will have before it the report of the Secretary-General (E/CN.4/1999/86).

United Nations Decade for Human Rights Education

173. In its resolution 1998/45, the Commission decided to continue consideration of the question of human rights education at its fifty-fifth session under the present agenda item. The Commission will have before it the report of the High Commissioner (E/CN.4/1998/87).

174. The attention of the Commission is also drawn to General Assembly resolution 53/153, entitled "United Nations Decade for Human Rights Education, 1995-2004, and public information activities in the field of Human Rights".

Sub-item (d) Science and environment

Human rights and bioethics

175. At its fifty-third session, the Commission, in resolution 1997/71, invited Governments, the specialized agencies and other organizations of the United Nations system and other intergovernmental and non-governmental organizations to inform the Secretary-General of activities being carried out to ensure that the life sciences developed in a manner respectful of human rights and beneficial to humanity as a whole. The Commission also invited States to inform the Secretary-General of legislative or other measures taken to that end. The Secretary-General was requested to prepare a report on the basis of those contributions for consideration by the Commission at its fifty-fifth session. The Commission will have before it the report of the Secretary-General (E/CN.4/1999/90).

Human rights and the environment

176. In its decision 1997/102, the Commission requested the Secretary-General to prepare a consolidated report based on the deliberations of the General Assembly and of the Commission on Sustainable Development, the United Nations Environment Programme, the United Nations Development Programme and other relevant international bodies and organizations for consideration of the question of human rights and the environment by the Commission on Human Rights at its fifty-fifth session. The Commission will have before it the report of the Secretary-General (E/CN.4/1999/89).

Guidelines for the regulation of computerized personal data files

177. In its decision 1997/122, the Commission decided to request States and intergovernmental, regional and non-governmental organizations to cooperate fully with the Secretary-General by providing him with any relevant information on the application of the guidelines. The Secretary-General was requested to report to the Commission at its fifty-fifth session:

(i) On the application of the guidelines within the United Nations system;

(ii) On information collected from States and intergovernmental, regional and non-governmental organizations concerning the follow-up to the guidelines at the national and regional levels.

178. At the present session the Commission will have before it the report of the Secretary-General (E/CN.4/1999/88).

179. In connection with this sub-item, the attention of the Commission is also drawn to General Assembly resolution 53/152, entitled "The human genome and human rights".

Other matters

180. In connection with item 17 of the provisional agenda, the attention of the Commission is also drawn to the following resolutions adopted by the General Assembly at its fifty-third session: 53/149, entitled "Strengthening of United Nations action in the human rights field through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity"; 53/151, entitled "Follow-up to the United Nations Year for Tolerance"; 53/154, entitled "Enhancement of international cooperation in the field of human rights"; 53/168, entitled "Fiftieth anniversary of the Universal Declaration of Human Rights".

181. The attention of the Commission is also drawn to resolution 1998/28 and decisions 1998/113 and 1998/115 adopted by the Sub-Commission at its fiftieth session (see E/CN.4/1999/4-E/CN.4/Sub.2/1998/45, chap. II).

Item 18. Effective functioning of human rights mechanisms

(a) Treaty bodies

(b) National institutions and regional arrangements

(c) Adaptation and strengthening of the United Nations machinery for human rights

Regional arrangements for the promotion and protection of human rights

182. In its resolution 1997/34, the Commission requested the Secretary-General to submit to it at its fifty-fifth session a report on the state of regional arrangements for the promotion and protection of human rights, to formulate concrete proposals and recommendations on ways and means to strengthen cooperation between the United Nations and regional arrangements in the field of human rights and to include therein the results of action taken in pursuance of that resolution. The Commission will have before it the report of the Secretary-General (E/CN.4/1999/93).

183. In its resolution 1998/44, entitled "Regional arrangements for the promotion and protection of human rights in the Asian and Pacific region", the Commission requested the Secretary-General to submit to the Commission at its fifty-fifth session a further report incorporating information on the progress achieved in the implementation of that resolution. The Commission will have before it the report of the Secretary-General (E/CN.4/1999/94).

Composition of the staff of the Office of the United Nations High Commissioner for Human Rights

184. In its resolution 1998/46, the Commission requested the High Commissioner to submit a comprehensive report on the implementation of that resolution to the Commission at its fifty-fifth session, which should include:

(a) The composition of the staff of the Office, organized by United Nations regional groups and reflecting, inter alia, grade, nationality and gender, including with regard to non-regular staff;

(b) Measures adopted to improve the current situation and their results;

(c) Recommendations to improve the current situation.

The Commission will have before it the report of the High Commissioner (E/CN.4/1999/97).

National institutions for the promotion and protection of human rights

185. In its resolution 1998/55, the Commission noted the report of the Secretary-General concerning participation by national institutions in United Nations meetings dealing with human rights (E/CN.4/1998/47) and, in particular, the possible forms of such participation outlined therein, and requested the Secretary-General to submit to the Commission at its fifty-fifth session a report including a detailed analysis of the implications of those possible forms of participation and practical steps to take the matter forward. The Commission also requested the Secretary-General to report to the Commission at its fifty-fifth session on the implementation of that resolution. The Commission will have before it the report of the Secretary-General (E/CN.4/1999/95).

Thematic procedures

186. In its resolution 1998/74, the Commission requested the Secretary-General, in close collaboration with the thematic special rapporteurs, representatives, experts and working groups, to issue annually and sufficiently early their conclusions and recommendations, so as to enable further discussion of their implementation at subsequent sessions of the Commission. At its present session, the Commission will have before it the report of the Secretary-General (E/CN.4/1999/96).

187. In accordance with paragraph 10 (b) of the same resolution, a list of all persons currently mandated to carry out the thematic and country procedures, including their country of origin, is provided in an annex to the present document.

188. In connection with the present item and with item 4 of the provisional agenda, the attention of the Commission is drawn to a note by the High Commissioner for Human Rights transmitting the report of the meeting of

special rapporteurs/representatives/experts and chairpersons of working groups of the special procedures of the Commission on Human Rights and of the advisory services programme, held in Geneva from 26 to 29 May 1998 (E/CN.4/1999/3 and Corr.1, and Add.1 and Corr.1-2, and Add.2) (see also para. 15 above).

189. The attention of the Commission is also drawn to the following resolutions adopted by the General Assembly at its fifty-third session: 53/138, entitled "Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights"; 53/148, entitled "Regional arrangements for the promotion and protection of human rights"; and 53/167, entitled "Question of resources for the Office of the United Nations High Commissioner for Human Rights and the human rights activities of the United Nations".

Item 19. Advisory services and technical cooperation in the field of human rights

Assistance to States in strengthening the rule of law

190. In its resolution 1997/48, the Commission decided to continue its consideration of the question of assistance to States in strengthening the rule of law at its fifty-fifth session in the light of the report to be submitted by the Secretary-General to the General Assembly pursuant to Assembly resolution 51/96 as well as any relevant information that might be provided by the High Commissioner for Human Rights on the matter. The Commission will have before it a note by the Secretary-General (E/CN.4/1999/98) transmitting his report submitted to the General Assembly at its fifty-third session (A/53/309).

Advisory services, technical cooperation and the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights

191. In its resolution 1998/57, the Commission, inter alia, requested the Secretary-General to continue to provide the necessary administrative assistance for the Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, to arrange meetings of the Board and to ensure that its conclusions were reflected in the annual report to the Commission on Human Rights on technical cooperation in the field of human rights. The Commission will have before it the annual report of the Secretary-General (E/CN.4/1999/99).

Situation of human rights in Haiti

192. In its resolution 1998/58, the Commission welcomed the report of the Secretary-General on the implementation of the programme of technical cooperation in Haiti (A/52/515), which the Office of the United Nations High Commissioner for Human Rights is conducting for the purpose of strengthening institutional capacity in that field and especially in the areas of legislative reform, training of justice administration personnel and human rights education, and requested the Secretary-General to submit a further report on the implementation of the programme to the Commission at its

fifty-fifth session. The Commission invited the independent expert Mr. Adama Dieng (Senegal) to report to the General Assembly at its fifty-third session and to the Commission on Human Rights at its fifty-fifth session on developments in the human rights situation in Haiti. The Commission will have before it a note by the secretariat (E/CN.4/1999/102).

Assistance to Somalia in the field of human rights

193. Following the resignation of Mr. Mohammed Charfi (Tunisia) at the end of 1996, Ms. Mona Rishmawi (Jordan) was appointed independent expert. In its resolution 1998/59, the Commission requested the independent expert to report to the Commission at its fifty-fifth session, in particular on the basis of a detailed assessment of the means necessary to establish a programme of advisory services and technical cooperation through, inter alia, the contribution of agencies and programmes of the United Nations in the field, as well as of the non-governmental sector. The Commission will have before it the report of the independent expert (E/CN.4/1999/103 and Add.1).

Situation of human rights in Cambodia

194. In its resolution 1998/60, the Commission requested the Secretary-General to report to the Commission at its fifty-fifth session on the role of the Office of the High Commissioner for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights and on the recommendations made by the Special Representative on matters within his mandate.

195. The Commission will have before it the report of the Special Representative of the Secretary-General, Mr. Thomas Hammarberg (Sweden) (E/CN.4/1999/101) and the report of the Secretary-General (E/CN.4/1999/100).

Assistance to Guatemala in the field of human rights

196. In its resolution 1998/22, the Commission decided to conclude its consideration of the human rights situation in Guatemala.

197. In connection with the present item, the attention of the Commission is also drawn to General Assembly resolutions 53/142, entitled "Strengthening of the rule of law", and 53/145, entitled "Situation of human rights in Cambodia".

Item 20. Rationalization of the work of the Commission

198. In its decision 1998/112, the Commission, with a view to enhancing the effectiveness of the mechanisms of the Commission, decided to appoint the Bureau to undertake a review of those mechanisms with a view to making recommendations to the Commission at its fifty-fifth session. The Commission will have before it the report of the Bureau at its fifty-fourth session (E/CN.4/1999/104).

Item 21. (a) Draft provisional agenda for the fifty-sixth session of the Commission

(b) Report to the Economic and Social Council on the fifty-fifth session of the Commission

Sub-item (a) Draft provisional agenda for the fifty-sixth session of the Commission

199. Rule 9 of the rules of procedure of the functional commissions of the Economic and Social Council provides that, at each session of the Commission, the Secretary-General shall submit a draft provisional agenda for the Commission's subsequent session, indicating in respect of each agenda item the documents to be submitted under that item and the legislative authority for their preparation, in order to enable the Commission to consider the documents from the point of view of their contribution to its work and of their urgency and relevance in the light of the current situation.

200. The Commission will have before it, before the conclusion of the fifty-fifth session, a note for its consideration containing a draft provisional agenda for its fifty-sixth session, together with information concerning the corresponding documentation (E/CN.4/1999/L.1).

Sub-item (b) Report to the Economic and Social Council on the fifty-fifth session of the Commission

201. Rule 37 of the rules of procedure provides that the Commission shall submit to the Council a report, which shall normally not exceed 32 pages, on the work of each session containing a concise summary of recommendations and a statement of issues requiring action by the Council. It shall as far as practicable frame its recommendations and resolutions in the form of drafts for approval by the Council.

Annex

LIST OF THEMATIC AND COUNTRY SPECIFIC PROCEDURES AND OTHER MECHANISMS OF THE COMMISSION ON HUMAN RIGHTS (PREPARED IN ACCORDANCE WITH COMMISSION RESOLUTION 1998/74)

Country specific procedures

Afghanistan	Mr. Kamal Hossain (Bangladesh)	Special Rapporteur
Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia	Mr. Jiri Dienstbier (Czech Republic)	Special Rapporteur
Burundi	Mr. Paolo Pinheiro (Brazil)	Special Rapporteur
Democratic Republic of the Congo	Mr. Roberto Garretón (Chile)	Special Rapporteur
Equatorial Guinea	Mr. Alejandro Artucio (Uruguay)	Special Rapporteur
Iraq	Mr. Max van der Stoel (Netherlands)	Special Rapporteur
Iran (Islamic Republic of)	Mr. Maurice Copithorne (Canada)	Special Representative
Myanmar	Mr. Rajsoomer Lallah (Mauritius)	Special Rapporteur
Nigeria	Mr. Soli J. Sorabjee (India)	Special Rapporteur
Palestinian territories occupied since 1967	Mr. Hannu Halinen (Finland)	Special Rapporteur
Rwanda	Mr. Michel Moussalli (Switzerland)	Special Representative
Sudan	Mr. Leonardo Franco (Argentina)	Special Rapporteur

Thematic procedures

Contemporary forms of racism, racial discrimination and xenophobia	Mr. Maurice Glèlè-Ahanhenzo (Benin)	Special Rapporteur

Education	Ms. Katarina Tomasevski (Croatia)	Special Rapporteur
Extrajudicial, summary or arbitrary executions	Ms. Asma Jahangir (Pakistan)	Special Rapporteur
Extreme poverty	Ms. Anne-Marie Lizin (Belgium)	Independent expert
Foreign debt	Mr. Reinaldo Figueredo (Venezuela)	Special Rapporteur
Freedom of opinion and expression	Mr. Abid Hussain (India)	Special Rapporteur
Illicit movement and dumping of toxic waste	Ms. Fatma Zohra Ksentini (Algeria)	Special Rapporteur
Independence of judges and lawyers	Mr. Param Cumaraswamy (Malaysia)	Special Rapporteur
Internally displaced persons	Mr. Francis Deng (Sudan)	Representative of the Secretary-General
Mercenaries	Mr. Bernales Ballesteros (Peru)	Special Rapporteur
Religious intolerance	Mr. Abdelfattah Amor (Tunisia)	Special Rapporteur
Restitution, compensation and rehabilitation for victims of grave violations of human rights	Mr. Charif Bassiouni (Egypt/United States of America)	Independent expert
Right to development	Mr. Arjun Sengupta (India)	Independent expert
Sale of children, child prostitution and child pornography	Ms. Ofelia Calcetas-Santos (Philippines)	Special Rapporteur
Structural adjustment policies	Mr. Fantu Cheru (United States of America)	Independent expert
Torture and other cruel, inhuman or degrading treatment or punishment	Mr. Nigel Rodley (United Kingdom of Great Britain and Northern Ireland)	Special Rapporteur

Violence against women, its causes and consequences	Ms. Radhika Coomaraswamy (Sri Lanka)	Special Rapporteur
Working Group on Arbitrary Detention	(Chairman: Mr. Kapil Sibal (India))	
Working Group on Enforced or Involuntary Disappearances	(Chairman: Mr. Ivan Tosevski (The former Yugoslav Republic of Macedonia))	

Technical cooperation programme

Cambodia	Mr. Thomas Hammarberg (Sweden)	Special Representative of the Secretary-General
Haiti	Mr. Adama Dieng (Senegal)	Independent expert
Somalia	Ms. Mona Rishmawi (Jordan)	Independent expert

"1503 procedure"

Chad	Ms. Emna Aouij (Tunisia)	Independent expert

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Fifty-fifth session
Item 2 of the provisional agenda
22 March - 30 April 1999

ANNOTATIONS TO THE PROVISIONAL AGENDA

Prepared by the Secretary-General

Corrigendum

Paragraph 49

Move the paragraph, with its subheading, from item 9 to item 11 (b) and insert it after paragraph 98.

Paragraph 125

For E/CN.4/1999/70 and E/CN.4/1999/70/Add.1 read E/CN.4/1999/71 and E/CN.4/1999/71/Add.1

Paragraph 173

For E/CN.4/1998/87 read E/CN.4/1999/87

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